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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,796	04/27/2001	David Corboy	06975-094001 / Browser 02	7378
26171	7590	10/19/2005	EXAMINER	
FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			JACOBS, LASHONDA T	
			ART UNIT	PAPER NUMBER
			2157	

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/842,796

Applicant(s)

CORBOY ET AL.

Examiner

LaShonda T. Jacobs

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) 42-47 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-41 and 48-55 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Amendment*

This Office Action is in response to Applicants' Amendment/Request for Reconsideration filed on July 28, 2005. Claims 42-47 have been cancelled. Claims 1-41 are presented for further examination. Applicants' newly added claims 48-55 are also presented for examination.

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims **1-41** and **48-55** are rejected under 35 U.S.C. 103(a) as being unpatentable over Pasquali (U.S. Pat. No. 6,321,209) in view of Shelley et al (hereinafter, "Shelley", U.S. Pat. No. 5,345,551).

As per claims **1**, **17**, **22** and **23**, Pasquali discloses a communications method, computer program and apparatus for transferring electronic data to users of a communication system comprising:

- establishing a connection between a client and a host, the client including a browser application configured to render data encapsulated in a standard Internet content format (col. 6, lines 34-42);

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- receiving electronic data from the host in response to a data request transmitted from the client (col. 6, lines 34-42); and
- at the client, simultaneously executing multiple instantiations of the browser application in response to the electronic data received from the host (col. 7, lines 51-64).

However, Pasquali does not explicitly disclose:

- wherein at least one instantiation of the browser is configured to exchange messages with at least one other instantiation of the browser application.

Shelley discloses a method and system for synchronization of simultaneous displays of related data sources comprising:

- wherein at least one instantiation of the browser is configured to exchange messages with at least one other instantiation of the browser application (col. 3, lines 58-67 and col. 4, lines 1-2).

Given the teaching of Shelley, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Pasquali by incorporating window-controlling tasks to allow tasks (instantiations, applications, etc.) to exchange messages in order to provide update information in regards to window changes, viewing positions, etc. in a timely and efficient manner.

As per claim 2, Pasquali further discloses:

- rendering a first graphical user interface within a first instantiation of the browser and rendering a second graphical user interface in a second instantiation of the browser (col. 5, lines 27-48).

As per claim 3, Pasquali discloses the invention substantially as claims discussed above.

However, Pasquali does not explicitly disclose:

- establishing a communication pathway between multiple instantiations of the browser applications by executing coordinating instantiation code in each of the browser.

Shelley discloses a method and system for synchronization of simultaneous displays of related data sources comprising:

- establishing a communication pathway between multiple instantiations of the browser applications by executing coordinating instantiation code in each of the browser (col. 3, lines 58-67 and col. 4, lines 1-2).

Given the teaching of Shelley, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Pasquali by incorporating window-controlling tasks to allow tasks (instantiations, applications, etc.) to exchange messages in order to provide update information in regards to window changes, viewing positions, etc. in a timely and efficient manner.

As per claim 4, Pasquali discloses:

- wherein the coordinating code is written in a standard Internet content format (col. 6, lines 34-42).

As per claim 5, Pasquali further discloses:

- establishing communications session in a first instantiation of the browser (col. 5, lines 27-48).

As per claim 6, Pasquali further discloses:

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- controlling the communications session in the first instantiation of the browser (col. 5, lines 27-48).

As per claim 7, Pasquali further discloses:

- displaying content associated with the session in a second instantiation of the browser application (col. 5, lines 27-48).

As per claim 8, Pasquali discloses:

- wherein the data request is transmitted using an OSP client application (col. 6, lines 34-42).

As per claim 9, Pasquali discloses:

- wherein the data request is transmitted using the browser application (col. 6, lines 34-42 and col. 7, lines 57-64).

As per claim 10, Pasquali discloses:

- wherein the browser application is embedded within an OSP application (col. 7, lines 1-19).

As per claim 11, Pasquali discloses:

- wherein the standard Internet content format comprises at least one HTML, CSS and Java Script (col. 6, lines 34-42).

As per claim 12, Pasquali discloses:

- wherein the first instantiation of the browser comprises a welcome screen (col. 5, lines 27-48 & Fig. 1).

As per claim 13, Pasquali discloses:

- wherein the first instantiation of the browser comprises a toolbar (col. 5, lines 27-48 & Fig. 1).

As per claim 14, Pasquali discloses:

- wherein the first instantiation of the browser comprises an electronic mail window (col. 5, lines 27-48 & Fig. 1).

As per claim 15, Pasquali discloses:

- wherein a first instantiation of the browser comprises an instant messaging window (col. 5, lines 27-48 & Fig. 1).

As per claim 16, Pasquali discloses:

- wherein the first instantiation of the browser comprises a search window (col. 5, lines 27-48 & Fig. 1).

As per claim 18, Pasquali discloses:

- wherein the computer readable medium comprises a disc (col. 7, lines 1-4).

As per claim 19, Pasquali discloses:

- wherein the computer readable medium comprises a client device (col. 6, lines 34-55).

As per claim 20, Pasquali discloses:

- wherein the computer readable medium comprises a host device (col. 6, lines 34-55).

As per claim 21, Pasquali discloses:

- wherein the computer readable comprises a propagated signal (col. 6, lines 56-67).

As per claims 24 and 25, Pasquali discloses the invention substantially as claims discussed above.

However, Pasquali does not explicitly disclose:

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- wherein each instantiation of the browser application is configured to exchange messages with at least one other instantiation of the browser application.

Shelley discloses a method and system for synchronization of simultaneous displays of related data sources comprising:

- wherein each instantiation of the browser application is configured to exchange messages with at least one other instantiation of the browser application (col. 3, lines 58-67 and col. 4, lines 1-2).

Given the teaching of Shelley, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Pasquali by incorporating window-controlling tasks to allow tasks (instantiations, applications, etc.) to exchange messages in order to provide update information in regards to window changes, viewing positions, etc. in a timely and efficient manner.

As per claims 26 and 29, Pasquali discloses the invention substantially as claimed as discussed above.

However, Pasquali does not explicitly disclose:

- wherein the messages exchanged between instantiations of the browser application include state information.

Shelley discloses a method and system for synchronization of simultaneous displays of related data sources comprising:

- wherein the messages exchanged between instantiations of the browser application include state information (col. 3, lines 58-67 and col. 4, lines 1-2).



Given the teaching of Shelley, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Pasquali by incorporating window-controlling tasks to allow tasks (instantiations, applications, etc.) to exchange messages in order to provide update information in regards to window changes, viewing positions, etc. in a timely and efficient manner.

As per claims **27** and **30**, Pasquali discloses the invention substantially as claims discussed above.

However, Pasquali does not explicitly disclose:

- wherein the messages exchanged between instantiations of the browser application include session content.

Shelley discloses a method and system for synchronization of simultaneous displays of related data sources comprising:

- wherein the messages exchanged between instantiations of the browser application include session content (col. 3, lines 58-67 and col. 4, lines 1-2).

Given the teaching of Shelley, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Pasquali by incorporating window-controlling tasks to allow tasks (instantiations, applications, etc.) to exchange messages in order to provide update information in regards to window changes, viewing positions, etc. in a timely and efficient manner.

As per claims **28** and **31**, Pasquali discloses the invention substantially as claims discussed above.

However, Pasquali does not explicitly disclose:

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- wherein the messages exchanged between instantiations of the browser application include communication parameters for maintaining connection between instantiations of the browser application.

Shelley discloses a method and system for synchronization of simultaneous displays of related data sources comprising:

- wherein the messages exchanged between instantiations of the browser application include communication parameters for maintaining connection between instantiations of the browser application (col. 3, lines 58-67 and col. 4, lines 1-2).

Given the teaching of Shelley, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Pasquali by incorporating window-controlling tasks to allow tasks (instantiations, applications, etc.) to exchange messages in order to provide update information in regards to window changes, viewing positions, etc. in a timely and efficient manner.

As per claims **32** and **34**, Pasquali discloses:

- wherein the first instantiation of the browser application is dedicated to providing a first online service and at least one other instantiation of the browser application is dedicated to providing a second and different online service (col. 5, lines 27-48 & Fig. 1).

As per claims **33** and **35**, Pasquali discloses:

- wherein the first online service is an OSP service and the second online service is an instant messaging service (col. 5, lines 27-48 & Fig. 1).

As per claims **36** and **38**, Pasquali discloses:

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- wherein a first instantiation of the browser application is configured to receive content from a second instantiation of the browser application, said content being stored on a server that is not otherwise configured to communicate with the first instantiation of the browser application (col. 5, lines 27-48 & Fig. 1).

As per claims 37 and 39, Pasquali discloses:

- wherein the first instantiation of the browser application is configured for email, the second instantiation is configured for instant messaging and the server is an instant messaging server (col. 5, lines 27-48 & Fig. 1).

As per claim 40, Pasquali discloses the invention substantially as claims discussed above.

However, Pasquali does not explicitly disclose:

- receiving content request messages from the at least one other instantiation of the browser application, and communication the content request messages to the host.

Shelley discloses a method and system for synchronization of simultaneous displays of related data sources comprising:

- receiving content request messages from the at least one other instantiation of the browser application, and communication the content request messages to the host (col. 3, lines 58-67 and col. 4, lines 1-2).

Given the teaching of Shelley, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Pasquali by incorporating window-controlling tasks to allow tasks (instantiations, applications, etc.) to exchange messages in order to provide update information in regards to window changes, viewing positions, etc. in a timely and efficient manner.

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As per claim **41**, Pasquali discloses the invention substantially as claims discussed above.

However, Pasquali does not explicitly disclose:

- receiving content from the host in response to the content request messages, and delivering the content to the respective other instantiations of the browser application that sent the content request messages.

Shelley discloses a method and system for synchronization of simultaneous displays of related data sources comprising:

- receiving content from the host in response to the content request messages, and delivering the content to the respective other instantiations of the browser application that sent the content request messages (col. 3, lines 58-67 and col. 4, lines 1-2).

Given the teaching of Shelley, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Pasquali by incorporating window-controlling tasks to allow tasks (instantiations, applications, etc.) to exchange messages in order to provide update information in regards to window changes, viewing positions, etc. in a timely and efficient manner.

As per claims **48, 50, 52 and 54**, Pasquali discloses:

- wherein executing multiple instantiations comprises executing multiple multi-windowed browser application instantiations (col. 5, lines 27-48 & Fig. 1).

As per claims **49, 51, 53 and 55**, Pasquali discloses:

- wherein executing multiple instantiations comprises executing multiple single-windowed browser application instantiations (col. 5, lines 27-48 & Fig. 1).

*Response to Arguments*

3. Applicant's arguments with respect to claims 1-41 and 48-55 have been considered but are moot in view of the new ground(s) of rejection.

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T. Jacobs whose telephone number is 571-272-4004. The examiner can normally be reached on 8:30 A.M.-5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LaShonda T Jacobs  
Examiner  
Art Unit 2157

ltj  
June 24, 2004

  
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